

INTERSTATE MOVEMENT OF DOMESTIC ANIMALS
REACTING TO TESTS FOR BRUCELLOSIS

SEPTEMBER 12 (legislative day, SEPTEMBER 4), 1951.—Ordered to be printed

MR. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 1629]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1629) to amend the act of May 29, 1884, as amended, to permit the interstate movement, for immediate slaughter, of domestic animals which have reacted to a test for paratuberculosis or which, never having been vaccinated for brucellosis, have reacted to a test for brucellosis, and for other purposes, having considered same, report thereon with a recommendation that it do pass without amendment.

S. 1629 was introduced June 8, 1951, at the request of the Department of Agriculture. The Department, under authority of the act of May 29, 1884, as amended, is cooperating with the States and Puerto Rico in a national campaign to eradicate brucellosis of cattle, commonly known as Bang's disease. The act also prohibits the interstate movement of animals affected with a communicable disease, thereby preventing such movement of cattle having brucellosis.

The bill would authorize the Secretary of Agriculture to permit interstate movement of animals which have reacted to a test for paratuberculosis or which, never having been vaccinated for brucellosis, have reacted to a test for brucellosis but only for immediate slaughter. Such authority is similar to that given the Secretary with respect to reactors to the tuberculin test. Indemnities paid to owners for disposal of cattle having brucellosis amount to a small fraction of the price such cattle would bring if sold for slaughter. If the owner's normal market for cattle is located in the same State, the act of May 29, 1884, does not prevent him from securing the highest possible return for his diseased cattle. However, there are many instances where the market is located across a State line and, in fairness to the livestock producers in those areas, it is believed the Secretary should have authority to permit interstate movement of livestock affected

with brucellosis for immediate slaughter if he determines such movement will not disseminate the disease.

A copy of the letter from the Department of Agriculture requesting enactment of the legislation is attached hereto as a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 28, 1951.

The honorable the PRESIDENT OF THE UNITED STATES SENATE.

DEAR MR. PRESIDENT: The Bureau of Animal Industry of this Department is cooperating with all States and Puerto Rico in a Nation-wide campaign for the eradication of brucellosis of cattle (Bang's disease). Brucellosis in livestock cause economic losses ranging up to \$100,000,000 each year. The disease occurs in cattle, sheep, swine, and goats, and is the only source of the infection for man. Infected cattle usually produce fewer calves, give less milk, and have more breeding trouble than do brucellosis-free cattle. Infected swine usually farrow fewer live pigs and develop more breeding trouble than do hogs free from this disease.

The cooperative campaign for the eradication of brucellosis in cattle is carried on under the authority of the act of May 29, 1884, as amended and extended (7 U. S. C. 391; 21 U. S. C. 101-105, 111-128). Under section 6 of the act of May 29, 1884, it is unlawful to move animals interstate which are known to be affected with a communicable disease. Some exceptions have been made in the interest of the livestock industry, notably the provision with regard to tick fever in section 6 of the original act and the exception of reactors to the tuberculin test in the act of May 31, 1920 (21 U. S. C. 116).

Beginning with July 1, 1934, the Department undertook a project to combat brucellosis of cattle (Bang's disease) as a part of a cattle reduction program. Much progress was made in eliminating the disease and by 1939 a program for the control and eradication of the disease had evolved which was similar to the campaign for eradication of tuberculosis in livestock. Reactors to the blood test for brucellosis are generally considered to be affected with brucellosis and therefore subject to section 6 of the act of May 29, 1884. As brucellosis eradication has developed there have been large numbers of reactors. The program includes the disposal by slaughter of such reactor animals. No action was taken to limit their marketing to the State where located since it would have resulted in serious losses to owners and would probably have affected the program adversely.

In view of the need for better control of brucellosis, a proposed amendment to the act of May 29, 1884, is enclosed for reference to the appropriate committee of the Senate. This proposed amendment is designed to provide specific authority needed as an exception to section 6 of that act to permit the interstate movement for immediate slaughter, in accordance with rules and regulations prescribed by the Secretary of Agriculture, of animals reacting to the test for brucellosis which are classed as affected with communicable disease. This would be similar to the authority covering reactors to the tuberculin test.

On June 24, 1949, the Department forwarded to Congress a draft of a similar bill entitled "A bill to amend the act of May 29, 1884, as amended, to permit the interstate movement, for immediate slaughter, of domestic animals which have reacted to tests for brucellosis or paratuberculosis and for other purposes" which was subsequently introduced as S. 2188, Eighty-first Congress. At the Senate hearings on this bill, representatives of the livestock industry expressed objections because they felt that it might interfere with the free interstate movement of cattle which have been vaccinated against brucellosis. Such cattle also will react to the test for brucellosis for a time after vaccination and in some instances will continue to do so for an indefinite period. However, the industry representatives recognized the advisability of obtaining authority for the interstate movement, for immediate slaughter, of animals actually affected with the disease. Informal discussions have recently been held with industry representatives and additional language has been incorporated in the draft herewith submitted which it is believed will obviate the development which they feared.

The proposed amendment includes language to cover reactors to a recognized test for paratuberculosis or Johne's disease. This disease is not so widespread as brucellosis and tuberculosis but it presents a similar problem in disposal of reactors to the test. The proposed amendment would provide uniformity in the disposal of reactors to the recognized tests for these diseases.

It also recommends that section 11 of the act of May 29, 1884 (21 U.S.C. 114a), include authority for the control and eradication of brucellosis of all domestic animals affected with the disease. The control and eradication of brucellosis is now limited to Bang's disease, the disease in cattle. In conducting any livestock disease eradication campaign it is important to eliminate reservoirs of infection wherever possible.

The Bureau of the Budget has advised this Department that it has no objection to the submission of this proposed legislation.

Sincerely yours,

CHARLES F. BRANNAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF MAY 29, 1884, AS AMENDED

SEC. 11. The Secretary of Agriculture, either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations, and individuals, is authorized to control and eradicate tuberculosis and paratuberculosis of animals, avian tuberculosis, [Bang's disease of cattle,] *brucellosis of domestic animals*, southern cattle ticks, hog cholera and related swine diseases, scabies in sheep and cattle, dourine in horses, and contagious or infectious diseases of animals (such as foot-and-mouth disease, rinderpest, and contagious pleuropneumonia) which in the opinion of the Secretary constitute an emergency and threaten the livestock industry of the country, including the purchase and destruction of diseased or exposed animals (including poultry), or the destruction of such animals and the payment of indemnities therefor, in accordance with such regulations as the Secretary may prescribe. As used in this section, the term "State" includes the District of Columbia and the Territories and possessions of the United States.

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SEC. 13. Domestic animals which have reacted to a test recognized by the Secretary of Agriculture for paratuberculosis or which, never having been vaccinated for brucellosis, have reacted to a test recognized by the Secretary of Agriculture for brucellosis, may be shipped, transported, or otherwise moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia for immediate slaughter in accordance with such rules and regulations as the Secretary of Agriculture may prescribe to prevent the dissemination of said diseases from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia. The Secretary of Agriculture may, in his discretion and under such rules and regulations as he may prescribe, permit domestic animals which have been moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, for breeding purposes, and which, subsequent to such movement, have reacted to a test for brucellosis or paratuberculosis recognized by the Secretary of Agriculture, to be reshipped in interstate commerce to the original owner at the point of origin.

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